

1 Matthew L. Rollin (SBN 332631)
2 **SRIPLAW, P.A.**
3 8730 Wilshire Boulevard
4 Suite 350
5 Beverly Hills, California 90211
6 323.452.5600 – Telephone
7 561.404.4353 – Facsimile
matthew.rollin@sriplaw.com

6 *Counsel for Plaintiff*
7 *Alan Joseph Goulet*

8 **UNITED STATES DISTRICT COURT**
9
10 **NORTHERN DISTRICT OF CALIFORNIA**
11
12 **SAN FRANCISCO DIVISION**

13 ALAN JOSEPH GOULET,

14 Plaintiff,

15 CASE NO.: 3:24-cv-01960

16 v.

17 SONOMA MEDIA INVESTMENTS, LLC,

18 Defendant.

19
20 **COMPLAINT FOR COPYRIGHT**
INFRINGEMENT

21 **(INJUNCTIVE RELIEF DEMANDED)**

22 Plaintiff ALAN JOSEPH GOULET by and through his undersigned counsel, brings this
23 Complaint against Defendant SONOMA MEDIA INVESTMENTS, LLC for damages and
24 injunctive relief, and in support thereof states as follows:

25 **SUMMARY OF THE ACTION**

26 1. Plaintiff ALAN JOSEPH GOULET (“Goulet”) brings this action for violations of
27 exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Goulet’s original
28 copyrighted Work of authorship.

29 2. Goulet founded Umbris Photography in 2004. He was raised in the Pacific Northwest,
30 before relocating to Central Florida to attend college. Goulet previously held positions including
31 Systems Engineer, Project Manager, Product Manager, Director of Product Management and Vice
32 President of Technology at major companies including BUYPASS (now First Data Resources),

Diebold, and American Express. President and Photographer, Goulet's artistic influences include photographers Paul Strand, Gregory Crewdson and Steve McCurry, as well as artists in other media such as Maxfield Parrish, Salvador Dali, Albrecht Dürer and John Williams Waterhouse.

3. Defendant SONOMA MEDIA INVESTMENTS, LLC ("Sonoma") is the owner of The Press Democrat, a daily newspaper published in Santa Rosa, California. The Press Democrat has the largest circulation in California's North Bay. Founded in 1897 as the "Sonoma Democrat," The Press Democrat has a readership of approximately a quarter-million adults. Readers can subscribe to unlimited digital access for around \$15 a month. In addition to The Press Democrat, Sonoma owns The Sonoma Index-Tribune, Petaluma Argus-Courier, North Bay Business Journal, Sonoma Magazine, bite club, La Prensa Sonoma and Sonoma County Gazette. At all times relevant herein, Sonoma owned and operated the internet website located at the URL <http://www.pressdemocrat.com> (the "Website").

4. Goulet alleges that Defendant copied Goulet's copyrighted Work from the internet in order to advertise, market and promote its business activities. Sonoma committed the violations alleged in connection with Defendant's business for purposes of advertising and promoting sales to the public in the course and scope of Sonoma's business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in California.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Sonoma engaged in infringement in this district, Sonoma resides in this district, and Sonoma is subject to personal jurisdiction in this district.

DEFENDANT

9. Sonoma Media Investments, LLC is a California Limited Liability Company, with its
3 principal place of business at 416 B Street, Suite C, Santa Rosa, California, 95401, and can be served
4 by serving its Registered Agent, Stephen Daniels, at the same address.

THE COPYRIGHTED WORK AT ISSUE

6. 10. In 2008, Goulet created the photograph entitled "Ikea 1432," which is shown below
7 and referred to herein as the "Work".



11. 11. Goulet registered the Work with the Register of Copyrights on September 10, 2008,
21 and was assigned registration number VAu 971-361. The Certificate of Registration is attached
22 hereto as **Exhibit 1**.

12. 12. At all relevant times Goulet was the owner of the copyrighted Work at issue in this
24 case.

INFRINGEMENT BY SONOMA

13. 13. Sonoma has never been licensed to use the Work at issue in this action for any
27 purpose.

14. On a date after the Work at issue in this action was created, but prior to the filing of this action, Sonoma copied the Work.

15. On or about November 17, 2022, Goulet discovered the unauthorized use of his Work on the Website in an article entitled “15 Bay Area companies that are ‘hiring like crazy,’ according to Glassdoor,” by Michael Barnes.

16. Sonoma copied Goulet's copyrighted Work without Goulet's permission.

17. After Sonoma copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its news publication business.

18. Sonoma copied and distributed Goulet's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

19. Goulet's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

20. Sonoma committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

21. Goulet never gave Defendant permission or authority to copy, distribute or display the Work at issue in this case.

22. Goulet notified Sonoma of the allegations set forth herein on January 2, 2024, and February 6, 2024. To date, the parties have failed to resolve this matter.

COUNT I
COPYRIGHT INFRINGEMENT

23. Goulet incorporates the allegations of paragraphs 1 through 22 of this Complaint as if fully set forth herein.

24. Goulet owns a valid copyright in the Work at issue in this case.

25. Goulet registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

26. Sonoma copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Goulet's authorization in violation of 17 U.S.C. § 501.

27. Sonoma performed the acts alleged in the course and scope of its business activities.
28. Defendant's acts were willful.
29. Goulet has been damaged.
30. The harm caused to Goulet has been irreparable.

WHEREFORE, the Plaintiff ALAN JOSEPH GOULET prays for judgment against the Defendant SONOMA MEDIA INVESTMENTS, LLC that:

a. Sonoma and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Sonoma be required to pay Goulet his actual damages and Defendant's profits attributable to the infringement, or, at Goulet's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Goulet be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

- d. Goulet be awarded pre- and post-judgment interest; and
- e. Goulet be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Goulet hereby demands a trial by jury of all issues so triable.

DATED: March 29, 2024

Respectfully submitted,

/s/Matthew L. Rollin
MATTHEW L. ROLLIN
SRIPLAW, P.A.

Counsel for Plaintiff Alan Joseph Goulet